

## DECLARATION AND PETITION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "METHOD AND PROTOCOL FOR ASSURING SYNCHRONOUS ACCESS TO CRITICAL FACILITIES IN A MULTI-SYSTEM CLUSTER" the specification of which

☒ is attached hereto  
☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) or U.S. provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign application or U.S. provisional application(s) for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

Priority Claimed

60/286,053	US	April 23, 2001	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day, month, year filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day, month, year filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day, month, year filed)	Yes	No

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) abandoned	Filing Date	(Status: Patented, pending,
_____	_____	_____
(Application Serial No.) abandoned	Filing Date	(Status: Patented, pending,
_____	_____	_____

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Declaration, Power of Attorney & Petition

SV: 229489 v01 02/01/2002

Please address all telephone calls to Leah Sherry at (650) 320-4000 and address all correspondence to:  
Leah Sherry, Esq.

**OPPENHEIMER WOLFF & DONNELLY LLP**

Customer 25696  
1400 Page Mill Road  
Palo Alto, California 94304

Wherefore we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, and we hereby subscribe our names to the foregoing specification and claims, declaration, and this petition.

Full Name of Sole or First Inventor: Richard J. McLaughlin

Home Address: 4816 Funston Gate Court, Pleasanton, CA 94566

Post Office Address: \_\_\_\_\_

Citizenship: USA

Inventor's Signature: Richard J. McLaughlin Date: 2/5/2002

Full Name of Second Inventor: Cynthia Sakaguchi

Home Address: 1375 Miller Avenue, San Jose, CA 95129

Post Office Address: \_\_\_\_\_

Citizenship: USA

Inventor's Signature: Cynthia Sakaguchi Date: 2-5-02

Full Name of Third Inventor: Farangis Aberg

Home Address: 10275 South Blaney Avenue, Cupertino, CA 95014

Post Office Address: \_\_\_\_\_

Citizenship: USA

Inventor's Signature: Farangis Aberg Date: 2-5-02

Full Name of Fourth Inventor: Marcelo M. de Azevedo

Home Address: 8712 Tin Roof Cove, Round Rock, TX 78681

Post Office Address: \_\_\_\_\_

Citizenship: Brazil

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Declaration, Power of Attorney & Petition

SV: 229489 v01 02/01/2002

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 200020 54572001

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Leah Sherry, Esq.  
**OPPENHEIMER WOLFF & DONNELLY LLP**  
 Customer 25696  
 1400 Page Mill Road  
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Citizenship: USA

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of Second Inventor: Cynthia Sakaguchi

Home Address: 1375 Miller Avenue, San Jose, CA 95129

Post Office Address: \_\_\_\_\_

Citizenship: USA

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of Third Inventor: Farangis Aberg

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Post Office Address: \_\_\_\_\_

Citizenship: USA

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of Fourth Inventor: Marcelo M. de Azevedo

Home Address: 8712 Tin Roof Cove, Round Rock, TX 78681

Post Office Address: \_\_\_\_\_

Citizenship: Brazil

Inventor's Signature: Marcelo M. de Azevedo Date: February 4, 2002

Declaration, Power of Attorney & Petition

200206129-56572001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McLaughlin et al.	Docket No.: 20206-129 (P01-3725)
Serial No.: Not Assigned	Group Art Unit: Not Assigned
Filing Date: Herewith	Examiner: Not Assigned
For: METHOD AND PROTOCOL FOR ASSURING SYNCHRONOUS ACCESS TO CRITICAL FACILITIES IN A MULTI-SYSTEM CLUSTER	

POWER OF ATTORNEY BY ASSIGNEE

Under the provisions of 37 C.F.R. § 3.71, the undersigned assignee of record of the entire interest in the above-identified patent/patent application filed herewith by virtue of an assignment recorded:

- ☒ Concurrently Herewith  
☐ Date Recorded  
☐ Reel \_\_\_\_\_ Frame \_\_\_\_\_

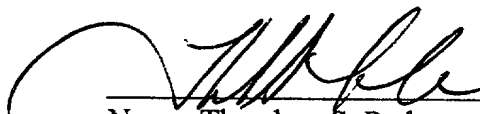
elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the inventor(s). The undersigned hereby declares that he/she has reviewed the above-referenced assignment and hereby declares that, to the best of his/her knowledge, title is in the Assignee, and further declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true. Assignee hereby revokes any previous power of attorney and appoints the following to prosecute this application/maintain this patent and transact all business in the Patent and Trademark Office connected therewith: R.P. LANGE, REG. 27,296; T.S. PARK, REG. 26,971; D. DROZENSKI, REG. 39,177; L. TURLEY, REG. 35,850; C.A.S. HAMRICK, REG. 22,586; R.O. GUILLOT, REG. 28,852; J. BOYCE, REG. 40,920; C. CHOU, REG. 41,672; A.B. DIEPENBROCK III, REG. 39,960; L. SHERRY, REG. 43,918; T. KHAN, REG. 46,273; L. GUERNSEY REG. 40,008; R. NADER, P47,260; P.F. DE VILLIERS, REG. 48,200.

Please direct all communications to:

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(650) 320-4000

ASSIGNEE  
COMPAQ INFORMATION TECHNOLOGIES GROUP, L.P.

Date: 6 Feb 2002

  
Name: Theodore S. Park  
Title: Sr. Counsel, Intellectual Property